



**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

NO. WR-81,581-02

Ex parte DEMONTRELL MILLER, Applicant

**ON APPLICATION FOR WRIT OF HABEAS CORPUS
CAUSE NO. 241-1251-08-A IN THE 241ST DISTRICT COURT
SMITH COUNTY**

**NEWELL, J., filed a dissenting opinion in which McCLURE, J.,
joined.**

I agree with the Court's disposition of most of Applicant's claims for relief in this, his subsequent application for a writ of habeas corpus. However, I would remand his eighth claim for an evidentiary hearing. *See Pena-Rodriguez v. Colorado*, 137 S.Ct. 855 (2017). Because the Court does not, I respectfully dissent.

Filed: June 30, 2021

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